



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: PD-6

February 9, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**EXCHANGE OF CITY OF EL MONTE
FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR
COUNTY OF LOS ANGELES GASOLINE TAX FUNDS
CITY OF EL MONTE-COUNTY COOPERATIVE AGREEMENT
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Mayor of the Board to sign the enclosed Agreement between the County of Los Angeles and the City of El Monte providing for the City to exchange \$1,344,747 of its Federal Surface Transportation Program (STP) funds for an equivalent amount of County gasoline tax funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Your Board's approval of the enclosed Agreement is necessary to effect the exchange of \$1,344,747 of the City of El Monte's Federal STP funds for an equivalent amount of County gasoline tax funds.

The Los Angeles County Metropolitan Transportation Authority has established procedures that permit the transfer of Federal STP funds between public agencies. The approval of the enclosed Agreement is required under these procedures. This exchange of funds is mutually beneficial to and in the general interest of the City and the County.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Service Excellence as it provides the City with less restrictive funds for the improvement of its local streets for the benefit of the motoring public.

FISCAL IMPACT/FINANCING

Your Board's approval of the enclosed Agreement will result in no direct fiscal impact to the County. The County's payment of gasoline tax funds to the City will be offset by the Federal STP funds received by the County for use on a qualifying County road construction project which would have otherwise been financed with gasoline tax funds.

The \$1,344,747 in gasoline tax funds to be paid to the City is available in the Fiscal Year 2005-06 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Agreement provides for the City to assign \$1,344,747 of the City's available Federal STP funds to the County and the County to pay to the City, following the execution of the Agreement, \$1,344,747 in County gasoline tax funds.

The Agreement has been approved by the City and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

Approval of the enclosed Agreement does not constitute a project nor the approval of a project pursuant to Sections 301 and 307 of the County of Los Angeles Environmental Reporting Procedures and Guidelines. Therefore, the proposed action is not subject to the requirements of the California Environmental Quality Act.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

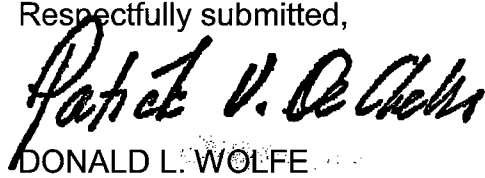
The County will be processing Federal-aid eligible projects in the unincorporated areas to which the City's assignment of Federal STP funds can be obligated. The City intends to utilize the gasoline tax funds in accordance with Article XIX of the California State Constitution.

The Honorable Board of Supervisors
February 9, 2006
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CONCLUSION

Enclosed are three originals of the Agreement which have been executed by the City. Please return two fully executed originals of the Agreement along with one adopted copy of this letter to Public Works for further processing. The Agreement labeled COUNTY ORIGINAL is to be retained for your files.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald L. Wolfe", is written over a faint, dotted outline of the same signature.

DONALD L. WOLFE
Director of Public Works

JWY:jhd

C060813

P:\pdpub\City\Cities-Uninc Areas\San Gabriel Valley\Elm\City of El Monte - STPL Exchange BL.doc

Enc.

cc: Chief Administrative Office
County Counsel

AGREEMENT AND ASSIGNMENT

THIS AGREEMENT AND ASSIGNMENT, made and entered into by and between the CITY OF EL MONTE, a municipal corporation in the County of Los Angeles (hereinafter referred to as CITY) and the COUNTY OF LOS ANGELES, a political subdivision of the State of California (hereinafter referred to as COUNTY):

WITNESSETH

WHEREAS, CITY desires to exchange One Million Three Hundred Forty-four Thousand Seven Hundred Forty-seven and 00/100 Dollars (\$1,344,747.00) of CITY Federal Surface Transportation Program (STP) funds for a like amount of COUNTY gasoline tax funds; and

WHEREAS, CITY proposes to expend the gasoline tax funds in accordance with Article XIX of the California State Constitution; and

WHEREAS, COUNTY is currently processing projects under the STP to which CITY'S STP funds can be readily obligated; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority has procedures in effect that permit the transfer of Surface Transportation Program funds between public agencies; and

WHEREAS, such an exchange of funds is beneficial to and in the general interest of CITY and COUNTY.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, it is hereby agreed as follows:

(1) CITY AGREES:

- a. To assign to COUNTY a fixed sum of One Million Three Hundred Forty-four Thousand Seven Hundred Forty-seven and 00/100 Dollars (\$1,344,747.00) of CITY'S available STP funds. Such assignment shall be effective upon full execution of this AGREEMENT AND ASSIGNMENT with no further action required by CITY.
- b. To accept COUNTY'S payment of One Million Three Hundred Forty-four Thousand Seven Hundred Forty-seven and 00/100 Dollars (\$1,344,747.00) in COUNTY gasoline tax funds, and to expend these funds in accordance with Article XIX of the California State Constitution.

(2) COUNTY AGREES:

- a. To accept CITY'S assignment of One Million Three Hundred Forty-four Thousand Seven Hundred Forty-seven and 00/100 Dollars (\$1,344,747.00) in STP funds, which will be obligated on future COUNTY-administered Federal-aid-eligible projects.
- b. To pay to CITY, following full execution of this AGREEMENT AND ASSIGNMENT, One Million Three Hundred Forty-four Thousand Seven Hundred Forty-seven and 00/100 Dollars (\$1,344,747.00) in COUNTY gasoline tax funds.

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. This AGREEMENT AND ASSIGNMENT may be amended or modified only by mutual written consent of COUNTY and CITY.
- b. Any correspondence, communication, or contact concerning this AGREEMENT AND ASSIGNMENT shall be directed to the following:

CITY: Mr. Kev Tcharkhoutian
City Engineer
City of El Monte
11333 Valley Boulevard
El Monte, CA 91731

COUNTY: Mr. Donald L. Wolfe
Director of Public Works
County of Los Angeles
Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

- c. It is understood and agreed that the provisions of Assumption of Liability Agreement No. 32376 between CITY and COUNTY, adopted by the Board of Supervisors on December 27, 1977, and currently in effect, are inapplicable to this AGREEMENT AND ASSIGNMENT.

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IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized by the CITY OF EL MONTE on _____, 2005, and by the COUNTY OF LOS ANGELES on _____, 2005.

COUNTY OF LOS ANGELES

ATTEST:

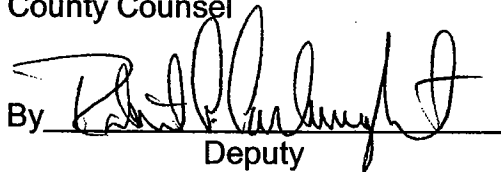
By _____
Chair, Board of Supervisors

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of
The County of Los Angeles

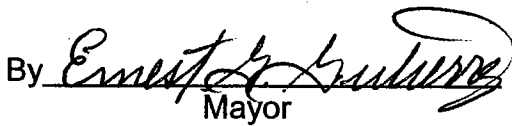
By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER JR.
County Counsel

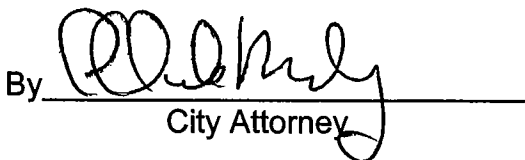
By 
Deputy

CITY OF EL MONTE

By 
Mayor

ATTEST:

By 
City Clerk

By 
City Attorney